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A remonstrance with the
Lord Chief Baron. 1849



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A REMONSTRANCE

WITH 24

THE LORD CHIEF BARON

TOUCHING THE CASE

NOTTIDGE *versus* RIPLEY.

BY

JOHN CONOLLY, M.D.,

FELLOW OF THE ROYAL COLLEGE OF PHYSICIANS OF LONDON;
AND PHYSICIAN TO THE MIDDLESEX LUNATIC ASYLUM AT HANWELL.

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PREFACE.

IN preparing a Third Edition of this Remonstrance, some hasty expressions have been modified, and the whole subject has been carefully reconsidered.

It is but just to mention that the Editor of the 'Lancet' was among the first to notice and to condemn the *dictum* of the Judge which occasioned my remonstrance. The 'Times,' always powerful when right, and sometimes even when wrong, has chiefly defended the Lord Chief Baron on the ingenious supposition, that his Lordship meant to say what he did not say, and said what he did not mean. Other papers have followed the 'Times,' but in a manner requiring no especial notice.

The excellent Letter of the Commissioners in Lunacy to the Lord Chancellor has added a great authority to the opinions maintained by me; and Dr. Stilwell's clear and admirable statement leaves no room for doubt as to the actual insanity of Miss Nottidge, and as to the exact merits of the whole case.

J. C.

Hanwell; Sept. 8, 1849.

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TO THE
RIGHT HON. SIR FREDERIC POLLOCK, KNT.,
LORD CHIEF BARON OF THE COURT OF EXCHEQUER,
&c. &c. &c.

MY LORD,

In the course of a recent trial, that of Nottidge *versus* Ripley and another, you are reported, in all the papers, to have expressed it as your opinion that no lunatic should be confined in an asylum unless dangerous to himself or others, and that the Commissioners in Lunacy ought to liberate all other persons so confined. The apparent conformity of this opinion to the liberty of the subject, and to the dictates of humanity, has gained for it the approbation of a portion of the public press; accompanied with no very temperate comments on the conduct of the Commissioners.

I regret, my Lord, the necessity of saying that the opinion so authoritatively laid down by you, is both mistaken and of a nature to be extensively mischievous. The comments of the newspapers on the conduct of the Commissioners, and occasioned by your Lordship's marked animadversions, have been equally injudicious, as well as highly unjust. Both the opinion delivered by your Lordship, and the comments of those who have echoed it, are calculated, among various inconvenient consequences, to occasion great uneasiness and restlessness in the minds of many patients now in asylums, and of their friends; although seclusion may be absolutely necessary for the protection of such

patients, and the peace of their families, and the comfort of society; and the patients may yet not be *dangerous* to themselves or to others.

I presume, therefore, to offer a respectful remonstrance to your Lordship in this matter; hoping that you may be led to reconsider an opinion and revoke an implied censure, to which your station and reputation alike give a dangerous importance.

An acquaintance with persons of unsound mind, and further reflection, would soon convince your Lordship that your rule is far too limited for the welfare of society, for the comfort of private families, and for the protection of many harmless insane persons themselves. It is not the dangerous lunatic alone who requires to be placed in an asylum. A rule for safe general guidance must have a wider extent. Every Commissioner in Lunacy, and every physician conversant with mental disorders, is, in fact, governed by a more comprehensive rule; and admits that, generally speaking, to justify the confinement of any person in a lunatic asylum, there must be something in the character of his mind which renders him unable to take care of himself and his property; or which is incompatible with his personal safety or that of others; or with the security of his property or that of others; or with his own comfort and well-doing if left to himself and unprotected. Both Commissioners and physicians know and acknowledge that there are many shades of unsound mind, which do not endanger the person or the property of the individual himself nor of others, nor expose him to any serious inconvenience; that there are odd delusions, and irrational theories, and peculiar antipathies, floating harmlessly in many minds; and that these may even lead to very eccentric

conduet, and yet not afford any just ground for depriving such persons of their liberty, or for taking the management of their property out of their hands.

It is the partieular tendency of the infirmity of mind in each ease, that must always determine the question of interference. But the question is sometimes very difficult to determine; and I believe a large portion of the time of the Commissioners is devoted to this question, which is brought before their attention in numerous eases, and in every perplexing variety of form. Nothing, however, is clearer or more eertain than that interference is not only justifiable, but absolutely necessary, in a great many cases in which neither the person of the lunatic nor that of others is in any way endangered by his malady.

If the liberty of an insane person is inconsistent with the safety of his property or the property of others; or with his preservation from disgraceful seenes and exposures; or with the tranquillity of his family, or his neighbours, or society;—if his sensuality, his disregard of cleanliness and deeney, make him offensive in private and public, dishonouring and injuring his children and his name;—if his excessive eeeentricity or extreme feebleness of mind subject him to continual imposition, and to ridieule, abuse, and persecution in the streets, and to frequent aeidents at home and abroad;—his proteetion and that of society demands that he should be kept in a quiet and secluded residence, guarded by watchful attendants, and not exposed to the public. To eonsider, as your Lordship seems to do, that a proecess so expensive, and attended with such publicity, as a Commission of Inquiry, should be a necessary preliminary to taking this proper care of a patient, would in a majority of these cases

exclude such care altogether. If a good asylum was not open to the unfortunate man without such a process having been gone through, he would generally be at length condemned to a domestic imprisonment, more secret, and in every respect more objectionable than confinement in a lunatic asylum. In the one case, no eye would superintend him, nor authority guard him from neglect. In the other, his condition and treatment could not be concealed.

There are many other forms of unsound mind which, although for a length of time unattended with actual danger to the lunatic or others, lead to consequences so intolerable, that an asylum must be resorted to for relief from them. Delusions as to rank and consequence, as to property, as to money owing or withheld, as to attachments on the part of persons of high station, or as to suggestions made by voices in the air, or words written in the sky, often prompt actions so absurd, so inconvenient, and entailing such persecution on particular families, that interference is positively required before the individual becomes dangerous; which also, if he is not interfered with, he is always very likely to become. The danger must not be waited for, or incurred; it must be prevented.

With whatever derision or indignation the assertion may occasionally be received in courts of law, and by those unaccustomed to reflect upon the singular and innumerable varieties of human character, there are men and women so limited in moral perceptions, that although not violent, nor cherishing particular delusions, ideas of right and wrong have no existence in their minds. There are others, who, knowing right from wrong, are actuated by sudden and overpowering impulses to crime. There is a well-known

form of insanity, acknowledged by all writers, called pyromania, in which the patients obey an unmeaning impulse to set fire to hayricks, or to houses, or other property, often with no personal danger to themselves or others. There are also insane persons, to whom want and privation are unknown, and yet whose propensity it is to steal: others tear and destroy clothes and furniture, or wantonly injure objects of art: others part with valuable articles for trifling compensation; or give away sums of money which they cannot afford to lose. There are perversions of the moral feelings and passions more revolting, and often, perhaps always, associated with unsound mind. People of this kind may not endanger their lives, or those of others, but their being at large is inconsistent with the comfort of society, and their own welfare; and it is imperatively necessary that they should be kept and watched, either in an asylum, or in a private residence regulated like an asylum. If the Commissioners, acting according to your Lordship's advice, were to liberate all such people, they would, indeed, "let Bedlam loose," bring affliction on a thousand families, and even throw society into confusion.

There are numerous young persons whose moral character appears for a time so perverted that their education is wholly interrupted, and they cannot be at large with safety to their own character; young men, whose entire idleness, whose grossness of habits, immoderate love of drink, disregard of honesty, or general irregularity of conduct, bring disgrace and wretchedness on their relatives; and whose unsound state of mind, unless met by prompt and proper treatment, precedes the utter subversion of reason;—young women of ungovernable temper, subject, in fact, to paroxysms of

real insanity; and at other times sullen, wayward, malicious, defying all domestic control; or who want that restraint over the passions without which the female character is lost. For these also, such protection, seclusion, and order, and systematic treatment, as can only be afforded in an asylum, are often indispensable. Without early attention and more careful superintendence than can be exercised at home, or in any private family, many of these cases go on to absolute insanity; and at length they become dangerous. By early care this terrible end is generally averted, and such young persons are often restored to their families and to society. If we wait to interfere with them until they have become dangerous, the consequences may be some outbreak of frightful violence, even murder or suicide. Seclusion and systematic superintendence are strictly parts of the medical treatment in such cases; and to censure those who resort to it is as utterly unwise as it would be to reprove a physician for checking an inflammation by bleeding and blistering before life was endangered, or a surgeon for preventing the progress of a disease of a joint before incurable disorganization rendered amputation necessary.

There are men of rank, of minds so ill-regulated and unsound, that, if uncontrolled, they would be ever the associates of the lowest profligates, and frequent the vilest abodes of vice without shame; and women of wealth and station who will drink to excess, and expose themselves to every possible degradation. No one who is so unfortunate as to have in his own family, or among his acquaintance, any person manifesting any of the forms of perverted character above spoken of, will for a moment withhold assent from the opinion that all such persons require to be treated as insane. The

truth is, they are already of unsound mind, and without timely treatment and control they will become ungovernably mad, and remain so for life. I trust no parent and no medical practitioner will be deterred from the only wise course to be pursued in such cases, by the authority of your Lordship or by a dread of the newspapers.

If the Judges and the members of the Bar would take the trouble of visiting Asylums more frequently, the medical and the legal profession would not so often be brought into collisions in which truth is generally sacrificed to authority. If the able writers of the public press would take the same trouble, it would prevent their falling into vulgar exaggerations respecting the condition of those placed in asylums. They would all derive useful and, I think, welcome information from opportunities which would generally be cheerfully afforded to them. They would learn to take more comprehensive and more exact views of the nature of insanity; and would become convinced that the name of lunatic asylum ought no longer to be received as that of a place of cruelty, suffering, torture, and horror. In the last ten years changes have taken place in them, into which, if I may trust to my own observation, neither lawyers nor writers for the public have sufficiently cared to inquire. The lawyer must adhere to certain definitions, and make either truth or falsehood strong as his cause requires. The writer for the public, not content to be an instructor, must startle and amaze; and therefore he still draws on recollections of the past, or on his imagination. Thus it is seldom that either of them, when lunacy is in question, meets the medical man with candour, or on equal ground.

No one is more suspicious of private asylums than myself. Few physicians have so often condemned them so freely. But I trust it may be said, with truth, that all well-conducted asylums have now become places of protection; abounding in the means of diverting the thoughts, of calming morbid excitement, of soothing the depressed, of rousing the apathetic, and of restraining the lower propensities of the insane, and restoring the control of reason. The most powerful of all restraints is found to be kindness; and it would be well for mankind if, in their intercourse with one another without the walls of asylums, they imitated the forbearance usually exercised to those within them. The patient who was wasting his money when at large, or forming a degrading connection, or lost in drunkenness, or wandering about, dirty and ragged, followed by the idle and mocking crowd, or vexing the quiet of many houses by night and day, and breaking the heart of sorrowing relatives, becomes, after a short residence in a good asylum, composed in manner, decent in conduct, orderly in dress; he is saved from ruin as to his property, or from impoverishing those related to him; and enjoys a degree of liberty and happiness which no other residence could afford him. To forbid the placing of such persons in asylums because they are not dangerous, can never have been your Lordship's deliberate intention. It would be to forbid their being protected and cured, and to consign them to every variety of insult, and injury, and suffering, and loss.

Miss Nottidge's case furnishes no exception. It especially called for protection; it belonged to a class in which the patient is unequal, from feebleness and unsoundness of mind, to take care of herself or her property; she required protection, not because she

cherished delusions, but because those delusions were inconsistent with the safety of her person and the security of her property. Those who exult in her liberation from the salutary control of an asylum are exulting over her ruin.

It is not to be denied that, in a few asylums for the reception of insane persons, remnants of the old treatment still linger; but the activity of Visiting Magistrates, and the indefatigable exertions of the unjustly condemned Commissioners, are daily bringing these evils to light and banishing them. It was justifiable, nay, it was, I am fully convinced, necessary, for the sake of Miss Nottidge's personal protection and that of her property, that she should be placed in an asylum for the insane. Although too late to save her property, I am convinced that she ought now to be in an asylum, and a Commission prayed for.

If she had been taken to one of those ill-regulated asylums in which some form of mechanical restraint would have been immediately resorted to, to prevent escape; or where she would have been left to negligent or brutal attendants, with doors ever locked, and friends almost wholly shut out, and from whence removal is almost as difficult as from an Austrian dungeon; mine is the last pen which would have been employed to palliate a course so unjustifiable. But this weak-minded lady, full of undoubtedly insane delusions, and whose duty to her only surviving parent had merged into the absolute worship of a mere man; and who, defying the restraints of home, had left her mother's roof, and had been concealed in that Abode of Love, or elsewhere living under the influence of its founders, —at one time, for instance, represented to her sorrowing mother as “living at Weymouth in the greatest sin

and iniquity ;"—was, when found and rescued from all the risk of a life so represented, placed in an asylum for persons of her own rank in life, and well known as an establishment of the highest character, where a near relative had been placed before, with the result of recovery, and the proprietors of which are known to be distinguished for liberality and kindness in all their arrangements, and for openness and honour in all their transactions. The choice of the asylum, to all who know anything of such places, would sufficiently prove that protection and proper care were the first things desired. By remaining there, even if the feeble intellect could not have been improved, the delusions might have died away, and a sense of duty have returned : her habits would at least have been regulated, all excess avoided, all painful exposure prevented ; the patient would have been screened from all possible harm, and her property from pillage. But although her demeanour continued to be that of an insane person, and her belief in Mr. Princee being the Almighty remained unshaken, and she thought herself immortal, and daily expected to be lifted up into heaven by Mr. Princee, she was unfortunately allowed to leave her safe retreat ; upon which she returned to the Abode of Love, where her money was soon transferred to him whom she spiritually adored. There, in that Abode of Love, she remains : she will have more money at her disposal by and by, and the institution will not now be prevented from benefiting by it. The only fault, indeed, of which the Commissioners seem to have been guilty, was that of ordering her liberation from Dr. Stilwell's asylum ; but they thought her health declining, and could not foresee or imagine all the consequences.

Among women of various degrees of understanding, there is no single cause of insanity more frequent than fanaticism. At once gloomy and presumptuous, they are easily induced to believe that God speaks to them more directly than to others ; they soon learn to despise their parents ; they denounce their relatives and friends ; write foolish or abusive letters to persons in their neighbourhood ; interfere in every family ; and put their whole trust only in the vilest flatterers of their folly, to whom their property is willingly confided. To withhold superintendence and watching from such women would leave them an unprotected prey to hypocrisy and dishonesty. There are gentler spirits, whose gloomy religious views, if fostered by the continued society of those among whom they originated, lead, by certain consequence, to self-destruction. If no one heeded their incipient malady before they actually became dangerous, it would often be too late to avert the danger.

In this very case of Nottidge *versus* Ripley, the circumstances were strikingly illustrative of the peculiar danger of leaving imbecile, visionary, and fanatical women at large, particularly if possessed of property. The scheme so successfully practised against this lady is such as even now one can scarcely believe. As far as the parts of it are known, or can be gathered from the long miscellaneous details of the trial as reported in the papers, they are these :

A widow lady of fortune, of advanced age, was residing happily in her own house, in the country, with a family of five daughters and one son, all of whom were handsomely provided for. Unfortunately a tendency to mental disorder existed in some of her children, one of whom, at least, had manifested unquestionable

unsoundness of mind. A new curate comes into the parish ; he becomes a great favorite, and at length on extremely intimate terms with the family. The five sisters, all of somewhat weak understanding, become subjected to the influence of one man's more cunning mind. Their religious feelings, and perhaps a natural tenderness of nature, aid him in his designs. He works upon their fanaticism and folly, fools them to the top of their bent, and becomes their guide and absolute master. At his command they are brought to disregard their aged mother's wishes and advice ; and, by admitting "Brother Thomas," one of his followers, to their house at night, always "by the will of God," they drive her from her invaded and, as she thinks, her contaminated home.

At length all, save one daughter, quit their mother entirely. They betake themselves to a place in Somersetshire, called the Agapemone, or Abode of Love, whereof the sometime curate is the head and ruler ; and, dazzled by its luxury, charmed with its games and pastimes, and sustained by glorious assurances of judgment being past, and heaven come ; and giddy, also, with the ceremonies of an imposing day, and seduced by the sudden and unexpected, and near prospect of husbands, three out of the four resolve to give up themselves and fortunes to three men almost unknown to them until that day, but all friends of the god of the Agapemone. One of them is Brother Thomas. These ladies, not very young, marry men considerably their juniors, taking no precaution as to sublunary settlements ; for

" Rigour now has gone to bed,
And Advice with scrupulous head ;"

and the Abode of Love receives, in return for the three

extemporaneous husbands, eighteen thousand pounds, with the expectation of twelve thousand more at the death of the mother of these impromptu wives. So much for three of the four ladies. The fourth, Miss Nottidge, returns home disgusted. But after a time, she is sent for. Two of the gentlemen of Love's Abode go for her, and, although not by physical force, yet by a force equally powerful over a weak woman, the least intellectual of all the daughters, carry her off again. They give her two hours to pack up. She does not leave her mother without some natural regret: she exclaims that it is like tearing the flesh from her bones; but that it is the will of God. And this god of the poor deluded lady is the god of the Agapemone. Her place of residence is not communicated to her mother, who for six weeks seeks her stolen daughter, sorrowing, and in vain. When she hears of the abode in which she is concealed, the removal of the lady is determined upon for her protection. She all the time, with a faith surpassing the faith of her sisters, declares that Mr. Prince is the Almighty; and exhibits such strangeness of manner and language after her removal, that not a doubt rests in the minds of those about her that she is quite deranged. The distinction may be difficult to apprehend, but it would appear that the other sisters were only fanatical, and that this lady was actually insane. At least they, and other inmates of the Abode of Love, have solemnly denied their belief in Mr. Prince being God; but Miss Nottidge gloried in her belief, and sang praises to Mr. Prince in Dr. Stilwell's house, and was always abiding in patience the will of this god to release her from control, and straightway translate her to heaven. What supernatural power failed to do was at length effected by

the intended kindness of the Commissioners in Lunacy, by whom she was liberated from the asylum. And now, all protection being removed from her, she fell into the snares of the Agapemone, an easy prey.

And all this takes place, unreprieved, in a Christian country ; in a country where an appearance of honesty and general morality is at least generally respected ! All the dishonorable and blasphemous parts of these strange transactions are overlooked ; and the removal of this unfortunate lunatic to a house where her money would have been secured from legalized robbery, and her person from the possibility of legalized prostitution, is censured with all the dignity of the bench, by your Lordship, and stigmatised, with all the fervour of the press, in the daily and weekly newspapers, as an outrage not to be tolerated.

Nor does one suspicion seem ever to have flitted across the Bench, or to have entered the minds of the writers for the press, that this Abode-of-Love-God, who signs himself Amen, and has destroyed prayer for ever, and hastened the coming of the kingdom of heaven, and placed the game of hockey among the immortal recreations of ladies and gentlemen ;—this man, whose word would seem to be as absolute among his dupes as a belief in his divinity can make it, and according to whose system sin can be committed no more,—ever extended his power beyond the securing of their property. No, not even at this time, when so much is said about the protection of women, does it seem to be suspected that a mock religion and a boundless fanaticism may sanction modes of worship which tend to destroy all sense of modesty.

All this is passed over, and we do but find undeserved and foolish reproof thrown upon the Commis-

sioners in Lunacy, whose whole time is spent in endeavouring to protect the insane and helpless, and to prevent the improper detention of persons able to take care of themselves and their property.

Your apparent disregard of all these circumstances, my Lord, and your opinion, gravely, emphatically, and authoritatively given, that no insane person should be confined, except when dangerous, and none even then but under a Commission of Lunacy, takes away all protection from Miss Nottidge, and from many more who will become the victims of the sanctimonious knaves to be found in every rank in society. For some time to come, it will also occasion great uncertainty and uneasiness in many families, who, after passing through many afflicting scenes before making up their minds to seclude some insane relative, will now probably once more consent to incur the miseries of having the lunatic at large, and in their domestic circle. It will expose every feeble-minded person possessed of property to all the rascality of fanatics and swindlers. It will disturb the contentment of numerous persons now happy and secure in asylums, where they enjoy a safe liberty and every comfort. It will make every medical man so apprehensive of being unjustly censured for writing a certificate of insanity, as often to delay its doing until ruinous or fatal consequences have ensued. It will prevent many insane persons from receiving that early treatment, and being subjected to that timely superintendence which can alone arrest insanity in its incipient stages, and prevent the supervention of stages of which the symptoms are more violent, and involve the lunatic and all about him in danger, and are such as make the case hopelessly incurable.

The possibility of such results must excuse the presumption of this remonstrance. It is the duty of those who have large opportunities of weighing the necessity of various kinds of seclusion or restraint applied to the insane, and of estimating the advantages of treatment in lunatic asylums, to step forward in opposition to prejudices which, although associated with kind and liberal feelings, are full of mischief and danger. In myself doing so, I trust I have not, in any word I have employed, seemed to depart from the respect with which I subscribe myself,

Your Lordship's

Very obedient, humble servant,

J. CONOLLY.

Hanwell; July 7, 1849.

DR. STILWELL'S HISTORY OF THE CASE OF MISS NOTTIDGE.*

“ On the 12th of November, 1846, I was requested to receive Miss Nottidge as a patient, at Moorcroft, and on the evening of that day she arrived, accompanied by her mother, a certificate of her unsoundness of mind having been previously signed by a physician and a surgeon. I received from Mrs. Nottidge the following statement of her case :—That she was forty-two years of age, and that from her early youth her mind had been directed with much intensity to religion, and that a large portion of her time had been devoted to the study of the Scriptures, and the writings of religious men. That, some three or four years ago, a person of the name of Prince came into the neighbourhood of Mrs. Nottidge's residence, as a curate, and, by his preaching, obtained such influence over Miss Nottidge and three of her sisters as to induce them to leave their home and follow him to Brighton, to which place he had removed. After various wanderings, Mr. Prince, having been removed by the bishop from the church, settled, with his followers, at Charlinge, near Bridgewater, and built what is called by them an ‘ Agapemone, or Abode of Love.’ To this building the four Miss Nottidges subscribed, and on the opening of the chapel situated in it, but which is now turned into the feasting-room, they left their mother at Brighton to attend the ceremony. This was in June, 1846. The

* From *The Lancet*, July 21.

three youngest did not return to their mother, but married, on one day, three of Mr. Princee's associates at the Abode of Love. Miss Nottidge returned to her mother's house in Suffolk, where she remained until two of the residents at the Agapemone came for her in a post-chaise, and induced her, in an evil hour, to quit that house, which from infancy had been one of peaceful happiness, and graced by every domestic virtue. Alas! now how changed! During this residence in Suffolk, Miss Nottidge's mind (always, be it remembered, of a most excitable and tender nature) had been racked by the most intense conflict between her affection for her aged mother and her home, and the new doctrines and principles which had been imposed on her by Mr. Princee, and to which, though doubting, she yielded. On leaving her mother, she said to her, 'I go, but it is like tearing the flesh from my bones.' For six weeks it was impossible to ascertain her residence. At length Mrs. Nottidge received letters from several persons of undoubted respectability, stating that her daughter was living at Charlinge in '*great iniquity*,' and making statements it would be libellous for me to write, or you to print, especially if the greater the truth the greater the libel. Mr. Nottidge, the brother, and Mr. Ripley, the brother-in-law, determined, at all risks, to make an effort to rescue their sister, and proceeded to Charlinge to remove her by force, which they accomplished, and brought her to London, not for the purpose of placing her in an asylum, for at this time not a suspicion of her insanity existed in the mind of any of her friends, but to induce her to return to her home.

"On Miss Nottidge's arrival in London, on the 10th of November, she replied to all her friends that

it was quite useless urging her to return home, that she must live with 'god' at Charlinge. She then told her assembled relatives that it had been revealed to her that Mr. Prince was 'god manifest in the flesh;' that 'the spirit of our Lord had descended on earth, and had chosen the body of the person she once knew as Mr. Prince, as his temple of residence or abode;' she added, that 'the world would soon be at an end, that the day of grace was passed, and the day of judgment arrived.' These extraordinary announcements, her altered manner, loss of all feeling for her family, and total abandonment of prayer, which she had continued up to her recent removal to the Agapemone, alarmed her friends, and led them for the first time to doubt her sanity.

"Her uncle recommended that medical men should be called in, and Dr. Rowland and Mr. Morton were sent for; after a careful examination, they came to the conclusion that Miss Nottidge was of unsound mind, and signed her certificate. She was on the following day placed with me. I must here remark, that a near relative of Miss Nottidge had, the year before, been under my care, labouring under mental disease, and had happily recovered, and it was at the recommendation of this relative that she was sent to Moorcroft. For two days Miss Nottidge refused to speak to me on the subject of her delusions, simply declaring it was 'the will of God, and that it was all in his hands!' I therefore thought it my duty to inform the Commissioners of Lunacy more minutely of the case, and had an interview with them at their office. Within a short time, two of the Commissioners (Dr. Turner and Mr. Campbell) visited Moorcroft, and had a long private interview with Miss Nottidge, and satisfied themselves

that she was properly detained in the asylum. At first Miss Nottidge was melancholy, and much depressed in spirits. She refused to wear a bonnet, or walk out of the house, and seldom entered into conversation; spent much of her time walking up and down the room, singing what she termed praises, making use of no intelligible words. She daily expressed her surprise that 'God did not send for her,' stating that she was perfectly happy in her mind, knowing that he knew all things, and that she could not be detained unless it was his will. Every night on going to bed, she packed all her clothes up, expecting God would send for her during the night, and this she continued to do as long as she remained at Moorcroft.

"By degrees she became cheerful and more communicative. At different times she told me 'the day of grace was passed, and the day of judgment arrived; that it was useless to offer up prayers, she only sang praises.' She intimated that she and all the Agapemone party were saved, and that the world would soon be at an end. She told me she did not know if I could be saved; she hoped that I should, but she could not help it. On one occasion, she told me 'that she should not die like other people, and be buried in a coffin, but be carried up to heaven in the twinkling of an eye.' I use her exact words; and on my expressing my astonishment at her assertions, she instanced the translation of Elijah. She repeatedly told me Mr. Prince was 'God Almighty,' 'God manifest in the flesh,' that the spirit of our Lord had entered into him whom she once knew as Mr. Prince, and that he could render her immortal. She never read the Bible, declaring it all completed now, and therefore it was quite useless so to do. Miss Nottidge, during the summer of 1847,

improved so much, that I hoped she would entirely recover ; she became cheerful, tranquil in her deportment, resumed her bonnet, and again paid attention to her dress, at the same time seldom speaking of her delusions. Her bodily health at this time was very good. At her urgent request, and after giving her promise not to leave without our knowledge, she was permitted to walk out unattended, and this she continued to do until the 6th of January, 1848, on which day she went out under the pretence of calling on my wife, and made her escape to London. In a letter she sent me from the station, to allay my fears, she says : ‘ I firmly believe it (the going away) is the will of God. . . Fear nothing ; God will provide. . . The Lord is my helper.’ She was brought back on the 8th of January ; and from this time to the period of her discharge (May 15th, 1848), continued from time to time to repeat all her delusions. She had entirely lost all natural affection for her mother and friends, a most frequent symptom of insanity. I should not omit to mention that Miss Nottidge refused to write to any one for a lengthened period, alleging that God knew everything ; he knew where she was, and would fetch her when he thought right.

“During Miss Nottidge’s residence at Moorcroft, she was examined privately, eight times, by the Commissioners in Lunacy, including Drs. Turner, Prichard, and Hume ; and the three legal Commissioners, Messrs. Proctor, Mylne, and Campbell. These gentlemen were unanimously of opinion that she was of unsound mind. Dr. Marshall Hall visited her once a fortnight, and the case was fully laid before Dr. Conolly : these eminent physicians entirely concurred in the views of the Commissioners and medical attendants. In determining

the state of my patient's mind, it was important to ascertain how far the residents at the Agapemone believed in the divinity of Mr. Prince, &c., and it was found that they did not believe anything so monstrous. During the examination at the recent trial, they all explicitly denied any such belief; and two of them, in reply to Sir F. Thesiger's inquiries, distinctly gave it as their opinion, that a person entertaining such a belief must be of unsound mind.

"In the month of May, 1848, Miss Nottidge was discharged by order of the Commissioners in Lunacy, on the ground that her bodily health was declining, and might be seriously injured by longer detention, they still remaining of opinion that she was insane. Dr. Turner dissented from this decision. The result was, that in a few days she gave the whole of her fortune, more than £6000, to the very man she believed to be God, and went to reside in the Abode of Love.

"Whoever reads this simple statement, I feel persuaded will accord with the views the medical attendants took of this painful case. Yet, in the face of these facts, and never having seen or conversed with Miss Nottidge, the Chief Baron declares she was not of unsound mind, and never ought to have been interfered with; and furthermore, that no mad man or mad woman in England should be, who is not suicidal or homicidal !

"ARTHUR STILWELL."

HOUSE OF LORDS.

Monday, July 23, 1849.

LUNATIC ASYLUMS (IRELAND) BILL.

LORD MONTEAGLE drew their lordships' attention to a *dictum* which was said to have fallen from a high legal functionary (the Chief Baron, we believe) in relation to a particular lunatic case. It was this,—that no one is justified in placing in custody any person who is not dangerous to himself or others. That *dictum* had created great surprise among those who heard it; for everybody must be aware that the great majority of persons detained in custody in lunatic asylums were no more dangerous to themselves or others than any noble lord who was in the habit of addressing that house. (A laugh.) Not only was great inconvenience likely to arise from this state of the law, but great cruelty and inhumanity were certain to be the consequences of it; for, to any one acquainted with the nature of lunacy, it was well known that all chances of recovering from it were connected with the early treatment of it. In its early development the curative process was most efficient; whereas if you withheld that process till the malady became invete-

rate, the probability was that the process would not be curative. The evil consequences of this state of the law, if law it was, were already manifesting themselves in many hospitals and lunatic asylums. Since the publication of this opinion of a learned Judge, many notices had been given by parishes that they would not be answerable for the expenses of pauper lunatics, except where they were dangerous to themselves or others. He prophesied that, in the interval between the close of the present and the commencement of the next session, there would be many actions commenced by speculating solicitors, which would lead to the most distressing results. If the law were such as this high legal functionary had stated it to be, he would undertake to say that there was not a single establishment in the country which was not carried on contrary to law. Great confusion would ensue, and it was on this ground that he took the liberty of mentioning this matter. There was a Letter on this subject addressed to the Lord Chancellor by the Chief Commissioners of Lunacy, pointing out all these inconveniences, and he hoped that that Letter would be laid upon the table before the next reading of this Bill.

Lord BROUGHAM observed that this subject was one of great importance, and thanked his noble friend for bringing it thus prominently forward. It was, however, idle for their lordships to say anything upon it now, as the subject was still *sub judice*, and their lordships might have to decide upon it in their legal capacity. It was clear to him that, if the learned Judge had really stated upon the trial what he was

represented to have stated, there must be a motion for a new trial; it could not be avoided. He had no doubt that everything which ought to be done had been done in the administration of justice, and that the account which his noble friend had quoted must be inaccurate. He could not conclude, however, without recommending speculating attorneys to bring no action upon this *dictum*, for, if they did, they certainly would have their own costs to pay. Nothing, however, could be done in the matter till next Michaelmas term.—*Times*, July 24, 1849.

LETTER TO THE LORD CHANCELLOR FROM THE COMMISSIONERS IN LUNACY.

SINCE the publication of the first and second editions of the 'Remonstrance,' a letter addressed to the Lord Chancellor by the Commissioners in Lunacy, with reference to their duties and practice, has been printed by order of the House of Commons. Every one interested in the subject of the insane should read it; medical practitioners especially, in every part of the country, should peruse it carefully. In the following paragraphs the Commissioners show, in a few words, but very clearly, the unsoundness of the views of the Lord Chief Baron :

“To revert to the opinion stated to have been expressed by the Chief Baron, that no person should be placed or detained in any Lunatic Asylum unless he be dangerous to himself or others: upon this point it is of vital importance that no mistake or misconception should exist, and that every medical man, who may be applied to for advice on the subject of lunacy, and every relative and friend of any lunatic, as well as every magistrate and parish officer (each of whom may be called upon to act in cases of this sort), should know and be well assured that, according to law, any person of unsound mind, whether he be pronounced dangerous or not, may legally and properly be placed in a County Asylum, Lunatic Hospital, or licensed house, on the authority of the preliminary order and certificates pre-

scribed by the Acts 8 and 9 Vict., c. 100, or c. 126 (as the case may be).

“The order and certificates thus obtained show that the person mentioned therein is either a lunatic, an idiot, or a person of unsound mind, and a proper person to be confined, and fully justify all parties in the matter, and they enable the proprietor or superintendent of any hospital or licensed house to plead them in defence to any action, and are, in the words of the statute, a justification for ‘taking, confining, detaining or retaking’ the patient (see 8 and 9 Vict., c. 100, s. 99).

“If all lunatics and persons of unsound mind, except such as had previously manifested a dangerous tendency, were to be excluded from the care and treatment provided in lunatic establishments, sanctioned by law, for the benefit of the whole class, the most lamentable consequences must ensue.

“In respect to pauper lunatics, it has already been the subject of almost universal complaint, that the number of such lunatics has been multiplied, and the country burthened to a prodigious amount, because the poorer class of lunatics have been allowed to remain at large, or kept in workhouses, deprived of that medical treatment which a lunatic establishment properly managed is best calculated to afford, until their malady has become incurable.

“The misery to lunatics’ families, and the great cost to the various parishes and counties consequent on this course, it would be difficult to exaggerate.

“In regard to private patients, if not placed for cure or care in some lunatic establishment, they must be kept at home under every disadvantage to themselves, and be the cause of great and unnecessary expense,

and of inexpressible annoyance to their families. The first, and an essential proceeding, with a view to cure, is, generally, to detach the patient from the scenes and associations in the midst of which his disorder has arisen. If he were to remain at home, this could not be effected; the proper treatment and accommodation could not be obtained, inasmuch as separate apartments, separate attendants, and daily medical supervision are necessary, and these in ninety-nine cases out of a hundred would be beyond the means of the patient's family to afford. Again, the habits and general conduct of patients under the influence of mental disease are frequently so violent, and at times so offensive, that it would be to the last degree cruel and unjust to expose the other members of the family to them; more especially where there are children, whose minds might receive a shock, and perhaps be incurably injured, by continually witnessing the paroxysms or maniacal extravagances of a lunatic."

The whole Letter (written, it is understood, by the Chief Commissioner, Lord Ashley) leaves a perfect conviction on the reader's mind, that the difficult duties of the Commissioners are, at least, carefully and conscientiously performed. That, notwithstanding all their care, great negligence now and then takes place as regards the consideration and wording of certificates; that such certificates are sometimes signed without proper examination of the patient, and without reference to any rule; that the inspection of asylums, especially in the provinces, is often inefficient; that patients are occasionally placed in asylums who ought not to be put into confinement, and kept there after

they have sufficiently recovered to make their liberation safe ;—cannot be denied by any one who knows by what kind of persons many lunatic asylums are kept, and the unavoidable inexperience of the inspecting physicians in many parts of the country as to the proper regulation of a lunatic asylum ; and the equal unwillingness of country gentlemen, in general, to perform a task which is unpleasant, and troublesome, and difficult, and exposes them to unmeasured censure and annoyance.

There is reason to suspect that there are still a few—I hope very few—private asylums in which nothing but the swift career of experienced servants, who fly through the house as soon as the well-known carriage of the Commissioners stops at the gate, could conceal from their inspection much that they would condemn ; where strait-waistcoats, and muffs, and straps, are rapidly removed and thrown into undiscoverable closets ; and miserable dresses stripped off and smart dresses hastily put upon the astonished patients ; and the fragments of slovenly meals swept away ; whilst the Commissioners are met at the door with smiles and bows, and addressed in tones of benevolence, which would deceive the father of deceit himself.

How to remedy all this, and much more of the old system which still remains ; and how to protect every individual from unnecessary detention in an asylum, is well deserving of the best attention of the Commissioners. The abolition of all private asylums, as advocated by the benevolent men who have established the Alleged Lunatics' Friend Society, is wholly impracticable. It is not even desirable. If there were no such places for their reception and treatment, the richer class of patients would generally be subjected

to horrible domestic severities, or concealed in obscure residences, as too many of them now are, at the entire mercy of two or three uneducated attendants, and only visited, for a quarter of an hour, once in two or three days, by a physician. Those in more limited circumstances would be still more wretchedly provided for. But there ought, unquestionably, to be a greater discretion in granting licenses. At present, not only medical men who have nothing else to do, or who wish to escape from the toils of practice, but attendants who have saved a little money, housekeepers out of place, and speculators of various descriptions, are frequently the applicants for a license to keep a private asylum. No previous knowledge of the insane is required from them; and their previous occupation and education is immaterial to the success of their application. They take houses or mansions of imposing appearance, and too often prepare such wretched accommodation for the patients as persons so unacquainted with the insane might be expected to do; and persevere and prosper, in spite of exposure and remonstrance.

I think, also, that the Commissioners and Inspectors of Asylums should pay a more systematic attention to the number and the character of the attendants in private asylums, and to their appearance and manner; and should make some inquiry into the habitual food, dress, and lodging of the patients.

I am, further, strongly inclined to the opinion that an increased number of commissioners, or the appointment of assistant commissioners, would afford more security to the insane than the present provincial arrangements.

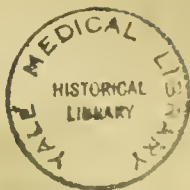
But, above all, the means of acquiring a knowledge of insanity, by lectures, and by observation in the

public asylums, should be so enlarged, that no excuse could exist on the part of any one applying for a license, or intending to take the charge of either a private or a public asylum, for being ignorant of the common forms and treatment of mental disorders. All candidates for such offices should be required to furnish satisfactory proof of having studied insanity under able teachers. This would be merely to demand what common sense requires. The public would not consent to trust the medical or surgical wards of any hospital to a man utterly unacquainted with medicine and surgery; and if any man undertakes the treatment of medical or surgical diseases in private, equally unqualified, we do not hesitate to pronounce him a quack. But any man may be licensed to take the charge of the insane, without any preparatory study or any experience.

Unquestionably, also, as the very arduous and delicate duties of the Commissioners must be far more easily and agreeably performed by them in proportion to their actual acquaintance with the character of the insane, and with the regulations and management of the best asylums; such a preliminary qualification might very reasonably be expected in the appointment of future Commissioners, if proper instruction was afforded in all the large institutions for the insane.

J. C.

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